

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JOE D. MANGRUM,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:06CV825-MEF
)	[WO]
JAMES D. FEARS, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

The plaintiff filed a Motion for Memorandum in Support of Motion for Summary Judgment on 11 October 2006 (Doc. # 11), seeking a final judgment in his favor. The court has construed the motion as a motion for summary judgment.

The plaintiff just filed his Amended Complaint on 29 September 2006 (Doc. # 10); the court has not set a scheduling conference, and the parties have not exchanged initial disclosures. No discovery has been conducted. Accordingly, pursuant to the procedures of this court for management of civil cases, the plaintiff's motion is premature. It is therefore

ORDERED that the motion is DENIED as untimely.

DONE this 23rd day of October, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE